

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
v.)	No. 02 CR 1050-4
)	
FRANK CALABRESE,)	Judge Leinenweber
)	
Defendant.)	

MOTION OF THE UNITED STATES TO APPLY FUNDS

The United States of America, by John R. Lausch, Jr., United States Attorney for the Northern District of Illinois, moves for an order applying the funds held by the United States Marshal's to defendant's outstanding monetary obligations and apply a portion of those funds to Diane Cimino's income taxes and in support states as follows:

1. Defendant Frank Calabrese executed savings bonds in the amount of \$75,000 payable to Diane Cimino.
2. The court sentenced Calabrese on January 28, 2009, and imposed restitution of about \$7.5 million. The balance owed on the judgment is about \$2.3 million as of May 17, 2019.
3. The United States and Diane Cimino agreed that the United States' judgment lien attached to the \$75,000 savings bonds.
4. The United States and Cimino also agreed that because Cimino would incur income taxes related to the savings bonds, that liability would be satisfied from the bond funds before the remaining funds would be applied to Calabrese's outstanding restitution.
5. The United States has been informed that Cimino's tax liability related to the bonds is \$1,189.

WHEREFORE, the United States requests an order directing the Clerk of the Court to issue a check made payable to the United States Treasury and sending it to IRS, P.O. Box 802501, Cincinnati, Ohio 45280-2501 with Diane Cimino's social security number and "2018-1040 liability" noted on the check, and to apply the remaining funds on account to defendant Frank Calabrese's restitution obligation in this case.

Respectfully submitted,

JOHN R. LAUSCH, Jr.
United States Attorney

By: s/ Scott D. Heffron

SCOTT D. HEFFRON
Assistant United States Attorney
219 South Dearborn Street
Chicago, Illinois 60604
(312) 886-4190
scott.heffron@usdoj.gov